<u>REMARKS</u>

This application has been reviewed in light of the Office Action dated July 25, 2006. In view of the following remarks, favorable reconsideration and withdrawal of the rejection set forth in the Office Action are respectfully requested.

Claims 1, 5-8 and 12-18 are pending. Claims 1, 8 and 15-18 are in independent form.

Claims 1, 5-8 and 12-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,560,575 (*Keiller et al.*) in view of U.S. Patent No. 6,556,841 (*Yu et al.*), U.S. Patent No. 6,697,777 (*Ho et al.*) and U.S. Patent No. 6,470,316 (*Chihara*). Applicant respectfully traverses this rejection.

Applicant submits that the independent claims are allowable over the cited art for at least the following reasons. As explained below, not all of the elements of the independent claims are taught or suggested by the cited art. (In the discussion below, reference is made to elements of independent Claim 1, but the discussion applies equally to the corresponding elements of the other independent claims.)

Yu et al.

Applicant submits that, contrary to the allegation made in the Office Action, *Yu et al.* does not teach or suggest "presentation means for presenting to the user an unmatched portion between the recognized character string pattern and the recording character string pattern."

According to Applicant's understanding, the *Yu et al.* device displays and indicates (e.g., by underlining, flashing, etc.) to the user a misspelled or unrecognized word (i.e., a word not found in the resident dictionary). However, Applicant understands

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that the *Yu et al.* device displays an unmatched character string in its entirety, that is, including the matching portion thereof and the non-matching portion thereof, and hence does not merely present an unmatched portion, as recited in the independent claims.

Further, Applicant understands that in *Yu et al.* the mismatch is between the character string written (typed in) by the user and the entries in the resident dictionary. Even if the character string written by the user could be deemed to be a "recognized character string pattern," neither the character string written by the user nor the entries in the resident dictionary could be deemed to be a "recording character string pattern." As defined in the independent claims, the recording character string indicates a sentence to be recorded. Since *Yu et al.* is directed to spell checking and spelling correction in a mobile communications device, and since *Yu et al.* does not involve speech at all (e.g., speech input or speech recognition), nothing in *Yu et al.* is understood to suggest a recording character string indicating a sentence to be recorded. Furthermore, the character string written by the user and spell-checked/-corrected is not a character string that is in any sense (supposed) to be recorded. Rather, the user is writing a character string that he merely desires to use.

Nothing in the other cited art is understood to remedy these deficiencies of *Yu et al.* with respect to the claimed presentation means.

Further in regard to *Yu et al.*, Applicant submits that the combination of that document with *Keiller et al.* is impermissible. In the last Amendment, filed on June 28, 2006, Applicant argued, *inter alia*, that no valid motivation had been cited for this combination. In response to this argument, the Office Action (page 5) states that "the fact that applicant has recognized another advantage which would naturally flow from

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following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious." However, this response made in the Office Action is not understood to be pertinent or responsive to the argument Applicant made. Specifically, the Office Action appears to be citing an argument found in M.P.E.P. 2145.II. to the effect that *prima facie* obviousness is not rebutted by merely recognizing additional advantages or latent properties present in the prior art. However, Applicant argued that the motivation for combining *Yu et al.* with *Keiller et al.* is not valid. Applicant did not argue non-obviousness of the independent claims based on additional advantages or latent properties present in the prior art. Accordingly, Applicant submits that the Office Action's response to his argument is not pertinent or responsive to his argument and therefore does not overcome his argument.

Ho et al.

Ho et al. relates to a speech recognition user interface. Applicant understands the *Ho et al.* device to be of use in a case, for example, where a user is dictating continuous speech to be recorded and converted into written text. Since conversion of input speech into written text takes time, there is a delay between the user's dictation of speech and the machine's conversion of the dictated speech into text and display thereof to the user. Accordingly, since the user does not see the most recent portion of his dictated speech displayed on the machine, the user does not know whether the most recent portion of his dictated speech has in fact been recorded by the machine. The user may therefore be tempted to interrupt his dictation of continuous speech to ascertain whether the machine has in fact recorded the most recent portion of his dictated speech. The *Ho et al.* device is understood to overcome this problem by providing

feedback to the user indicating that the machine has recorded the most recent portion of his dictated speech even though it has not yet converted it into written text and displayed it.

Specifically, according to *Ho et al.*, after the user dictates a discrete portion of speech and that portion is recorded by the device, the device inserts a place mark (e.g., a string of ellipses) into the already converted and displayed text at the point at which subsequent text, corresponding to the discrete portion of speech, is to be inserted. The place mark corresponds in length to the expected length of the text to be inserted. The place mark confirms to the user that the device has recorded the recently dictated portion of speech, so that the user need not interrupt his dictation of continuous speech to determine whether the device has in fact done so.

In view of the operation of *Ho et al.* as described above, Applicant submits that, contrary to the allegation made in the Office Action, that document does not teach or suggest "display control means for controlling displaying of the recording character string indicating the sentence to be recorded." According to *Ho et al.*, as the user dictates speech, the machine records it, converts it to text corresponding to the dictated speech, and displays the text. After recording the dictated speech, the machine also provides the user feedback in the form of a place mark displayed at the point at which text representing speech not yet converted is to be displayed. Thus, *Ho et al.* displays text corresponding to speech that was <u>already</u> dictated by a user, and recorded and converted by the machine. It does not display a recording character string indicating a sentence <u>to be</u> recorded. According to *Ho et al.*, it is only <u>after</u> the speech has been dictated by the user and recorded by the machine that text corresponding thereto is displayed. The displayed text

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is not <u>to be</u> recorded (e.g., to be recognized by the machine), but is <u>the result of speech recognition</u> by the machine.

In addition, *Ho et al.* is not understood to control displaying of the text. For example, according to Applicant's understanding it is not the case that *Ho et al.* decides, from among a number of options, which way to display the text.

Nothing in the other cited art is understood to remedy these deficiencies of *Ho et al.* with respect to the claimed display control means.

<u>Chihara</u>

Chihara relates to a speech synthesis apparatus having a prosody generator with user-set speech-rate or adjusted phoneme-duration-dependent selective vowel devoicing. According to *Chihara*, vowel devoicing determining means determines that a vowel devoicing process is not performed when the set speech rate is slower than a predetermined rate.

The Office Action (pages 8, 13 and 16) cites col. 8, line 63 - col. 9, line 5 of *Chihara* as teaching the claimed "re-input instruction means for issuing an instruction to input speech once again when it is determined by said determination means that the matching rate does not exceed the predetermined level." The portion of *Chihara* cited in the Office Action states that second devoicing determination module 204 determines whether or not a vowel is to be devoiced based on a user-set speech rate level and a first determination result. In this second determination, the speech rate is compared with a threshold value to determine if the speech rate exceeds the threshold value. If the speech rate is determined to be slow based on the comparison result, the vowel is not devoiced.

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In view of the above-described operation of *Chihara*, Applicant submits that (as explained below), contrary to the allegation made in the Office Action, that document does not teach or suggest "re-input instruction means for issuing an instruction to input speech once again when it is determined by said determination means that the matching rate does not exceed the predetermined level."

First, although in *Chihara* a comparison is made between a speech rate and a threshold, a comparison is not made between a <u>matching</u> rate (i.e., a matching rate between <u>a pattern of a recognized character string</u> and <u>a pattern of a recording character string</u>) and a predetermined level. In that regard, it is noted that *Chihara* relates to speech <u>synthesis</u>, not speech <u>recognition</u>. Accordingly, *Chihara* does not involve, e.g., a <u>recording</u> character string (indicating a sentence <u>to be recorded</u>). *Chihara* converts written text to speech; speech is not input to *Chihara*.

Second, according to *Chihara*, when the speech rate is determined to be slow, a vowel is not devoiced. It is not the case in *Chihara* that when the speech rate is determined to be slow, an instruction to input speech once again is issued. As stated, *Chihara* relates to speech <u>synthesis</u>, not speech <u>recognition</u>, and accordingly speech is not input into *Chihara*.

Nothing in the other cited art is understood to remedy these deficiencies of *Chihara* with respect to the claimed re-input instruction means.

Further in regard to *Chihara*, Applicant submits that the combination of that document with *Keiller et al.* is impermissible. Specifically, Applicant submits that the motivation to combine cited in the Office Action is not valid. The motivation cited in the Office Action is "to obtain secondary information to determine whether or not the

information is the correct result" (Office Action, pages 8, 13-14 and 16). The second determination in *Chihara* is for determining whether a vowel (in speech to be synthesized) should be devoiced or not. Since *Keiller et al.* pertains to speech recognition and not to speech synthesis, the second determination in *Chihara* can not be applied to, or serve any useful function in, *Keiller et al.* Moreover, as *Chihara* pertains to speech synthesis while *Keiller et al.* pertains to speech recognition, the two documents are directed to different fields and to solving different problems, and hence are not understood to be analogous art.

In conclusion, since the cited art, whether taken singly or in combination, does not teach or suggest all of the elements of the independent claims, for at least the reasons set forth above, and since the proposed combinations are impermissible, for at least the reasons set forth above, the independent claims are submitted to be allowable over the cited art.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. These claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,
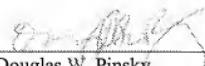
Douglas W. Pinsky
Attorney for Applicant
Registration No. 46,994

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
DWP/klm

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